

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

KAPPE ASSOCIATES, INC.,	:	
	:	
Plaintiff,	:	
v.	:	No. 5:15-cv-02211-JFL
	:	
CHESAPEAKE ENVIRONMENTAL	:	
EQUIPMENT, LLC; JASON NORTH;	:	
JEFFREY MANCINI; KATHLEEN MANCINI;	:	
NATHAN LEYBURN; DANIEL THOMPSON,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 31st day of March, 2016, upon consideration of Defendants' Motion to Dismiss, ECF No. 5, and for the reasons set forth in the accompanying Memorandum issued this date, **IT IS ORDERED** that Defendants' Motion is **GRANTED in part** and **DENIED in part**, as follows:

1. Defendants' Motion is **GRANTED** in the following respects:
 - a. Plaintiff's CFFA claim in Count XIV of the Complaint is **DISMISSED with prejudice**;
 - b. Plaintiff's fraud claims in Count VII are **DISMISSED without prejudice**;
 - c. Plaintiff's trade libel claim in Count XVI is **DISMISSED without prejudice**;
 - d. Plaintiff's claim for an injunction in Count XV is **DISMISSED with prejudice**.
2. In all other respects, Defendants' Motion is **DENIED**.
3. Plaintiff is **GRANTED LEAVE** to conduct jurisdictional discovery as to Defendants Leyburn, Thompson, and Jeffrey and Kathleen Mancini. Jurisdictional discovery shall be completed on or before **May 16, 2016**.

4. Plaintiff **SHALL FILE** an amended complaint on or before **May 30, 2016**.
5. Defendants **SHALL FILE** a responsive pleading on or before **June 15, 2016**.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.

JOSEPH F. LEESON, JR.

United States District Judge